

**MINUTES OF THE ZONING BOARD
PUBLIC HEARING & REGULAR MEETING,
HELD MONDAY, MAY 12, 2014, 7:00 P.M.,
4TH FLOOR, CAFETERIA, GOVERNMENT CENTER
BUILDING, 888 WASHINGTON BLVD,
STAMFORD, CT 06901**

Present for the Board: Tom Mills, Rosanne McManus, David Stein and Joanna Gwozdzowski, Barry Michelson (arrived at 7:40pm). Present for staff: David Killeen, Associate Planner

Mr. Mills called the meeting to order and opened the Public Hearing at 7:15 p.m. Alternates, Joanna Gwozdzowski and David Stein were both seated.

PUBLIC HEARING

1. **Application 213-28 – THE FIRST PRESBYTERIAN CHURCH OF STAMFORD, CT & FULLER DEVELOPMENT, LLC, REVISED Text change,** to Amend Article III, Section 9-D-4-d by adding language for residential signage similar to that covered by C-N District standards, Section 9-D-5-c-7 by adding language modifying minimum front yard requirements and of Section 9-D-5-c-8-a through Special Exception approval to reduce the minimum number of off-street residential parking spaces and to permit shared parking per Section 12-D-1-b of the zoning regulations (*continued from April 28, 2014*).
2. **Application 213-29 – FIRST PRESBYTERIAN CHURCH OF STAMFORD, CT & FULLER DEVELOPMENT, LLC, 1101 Bedford Street, REVISED Special Exception and Site and Architectural Plans** requesting approval of special exceptions and site plans related to a 9.7 acre site currently siting a customary church building and daycare center in an R-H zone in order to construct a new 175 residential unit complex of 6.5 stories, site improvements and parking. Special Exceptions would permit BMR fee-in lieu, professional office use on ground floor, reduced setback on Morgan Street, reduced parking ratio, shared parking and underground parking (*continued from April 28, 2014*).

Mr. Mills read a description of the applications into the record.

Attorney Hennessey, Carmody, Torrance, Sandak, submitted a list of exhibits for this application into the record, along with revised zoning data charts, a letter from DSSD, and a cross-section of the proposed building, street and streetscape.

Mr. Stein asked if the street light could be moved back from the curb to make more room for the sidewalk. Attorney Hennessey said yes.

Attorney Hennessey submitted a survey of The Fairfield Apartments and an updated report from Milone & MacBroom regarding parking demand, dated May 12, 2014.

David Sullivan, Millone & MacBroom discussed this supplemental parking study they took on Sunday and Tuesday evenings, May 4 and May 6, 2014 at midnight. The report covers 20 data points showing a ratio of 1.12 parking spaces per occupied unit which is the highest, dropping to 1.0 on Sundays and .98 on Sundays. Based on the data collected, Mr. Sullivan estimates

approximately 40-45 empty spaces most of the time in the proposed Morgan Loft parking lot. The Fairfield assigns spaces, while at Morgan Lofts, parking will be unassigned.

Mr. Michelson arrived at 7:40pm.

Mr. Stein asked when is peak time that you would expect to see maximum parking demand on the street? Mr. Sullivan said peak would be early morning hours.

Mr. Michelson asked if the number of units remained the same in the study. Attorney Hennessey said yes. Ms. McManus clarified the study was based on occupied units. The bedroom mix was reviewed. Hoyt-Bedford had 350 units and 380 parking spaces and Morgan Manor had 243 units and 270 parking spaces.

Attorney Hennessey reviewed building samples and noted that an EFIS granite material was proposed. Attorney Hennessey offered a ground face block material with granite finish and an aluminum finish sample.

Mr. Stein asked how wide the balconies were in the Parallel 41 project. Attorney Hennessey responded they were 4" deep; the photo submitted was 6"; Morgan Lofts is proposed at 10".

Attorney Hennessey concluded the presentation. Mr. Mills asked if anyone from the Public wanted to comment.

David Michelson, Strawberry Patch Lane, stated the doctor's office reported that there are overnight parkers in their lot. Traffic is heavy in this area and density at 175 units is high. Many impacts that should be considered.

Brendon Leydon, representing Schlessinger, said Morgan Street is an emergency snow route. They have concerns about having the loading space on Morgan Street.

Attorney Hennessey said the project is not proposing any of the commercial parking to be on the street. It is self-contained on-site. A loading zone would operate only in the daytime. Approval is subject to Traffic Authority Committee approval and if not approved, loading could occur from north and south driveways. The Applicant points to traffic solutions needing to be addressed on a community wide basis. Applicant is doing its part by contributing \$150,000 to traffic improvements and constructing approximately 140 feet of new sidewalks.

Mr. Stein asked where will signage go? Attorney Hennessey handed out a rendering. Signs are at the south-end and north-end and on a canopy over the center of the building, plus two ground signs. Attorney Feinberg commented that there was a revised amendment, which would result in a total of five signs. Wall signs would be LED-lit.

Ms. Gwozdzowski asked about lighting? The street and site lights are shown on Plan Sheets L-100 and L-601. Ms. Gwozdzowski asked about garbage pickup. Mr. Fuller said garbage pickup is in the building garage near the north driveway and will occur twice a week.

Mr. Michelson asked about parking and would tenants pay for parking? Attorney Hennessey said each unit would be bundled with a parking space and the remainder available for a fee. Mr. Mills asked if they'd assign spaces? Mr. Fuller responded that unassigned spaces are used for all properties they manage across the country; stickers will be issued. This allows free access to any vacant space by tenants. Guests will be registered and allowed to park as demand occurs.

Ms. McManus said her assumption is that parking vacancy occurs when fees are too high. She asked if this can be regulated through the Parking Management Plan. Mr. Fuller said he was sensitive to the issue but doesn't want to see the Zoning Board getting into setting rent rates for parking spaces. He said a space averages \$100 per month.

Mr. Mills noted that the parking should be monitored over time and periodic reports should be provided.

Jane Love, 26 Strawberry Hill Avenue, provided a report on neighborhood parking on Saturday May 3 and the following Wednesday in the area; she noted there are available spaces along Third Street; Hoyt Street West of Bedford Street; and Bedford Street in front of the church.

David Michaelson, Strawberry Patch Lane, said that on Hoyt Street between Morgan and Bedford, there are no available spaces.

Mr. Mills said he was puzzled about the south entrance to the church. Do they need an entrance from Morgan Street.

David VanDyke, Minister, First Presbyterian Church, said the entrance is for convenience of parishioners. The driveway would be locked up except for Sundays.

Mr. Stein asked if it would be okay to condition the driveway being locked.

Mr. Mills said 19 spaces in the Plan are for compact vehicles. The Parking Management Plan package from 4/21/14 addressed parking for commuters. He commented he likes the concrete block over EFIS material at the base; Mr. Michelson and Mr. Stein agreed.

Ms. McManus asked about the LED signs and why it is lit. She'd be especially concerned about the northern end of the building.

Mr. Mills said he was not in favor of the sign high up on the building.

Mr. Mills commented on the windows. He requested technical data on the sliding windows. Test reports don't mention sliding windows. Without aluminum backing, the proposed vinyl windows do not meet code. Mr. Fuller said the windows will be fully code compliant and they will be reinforced aluminum. He assures that his consultants will assure that windows will fully comply with code (wind loads, energy efficiency, etc.).

Attorney Hennessey said that the timing will influence where the proposed fee-in-lieu for BMR funds will go. They would be willing to accept future direction of the funds which are the

equivalent of 17.5 units. They prefer not to make BMRs available in the building. R-H regulation does not require open space, but they do provide it.

Mr. Stein had a question about the text amendment and the centerline setback. Attorney Hennessey and Attorney Feinberg explained this. Attorney Feinberg explained the proposed sign regulation.

Juanita James, 101 Dogwood Lane, believes the church has tried very hard to respond to all of the questions raised by the Zoning Board and wants to reiterate the importance of the project to be able to continue achieving its mission.

Attorney Hennessey summarized the themes from the 3 public hearings. The Applicant has met and exceeded the special exception standards; the text changes are house-keeping to fix current errors in the zoning regulations, especially for signage. This was the first time Attorney Hennessey remembers a design review being formally conducted by a Zoning Application on a voluntary basis. The Applicant cooperated for months to work with City-hired architects, and as a result, the quality has been increased; parking is largely in excess of what's required. This is reasonable and Staff supports it. There's a lack of parking on Morgan Street and it will not be further impacted by this project. There is no change in traffic levels of service in the vicinity of the project. The Application is supported by the community at large (business community such as DSSD, Chamber of Commerce, etc.). There are other public benefits. Attorney Hennessey submitted a summary of benefits as an exhibit. Special Exceptions are all appropriate "garden variety" that are to be expected with an application of this type. All Special Exception criteria in Section 19.3 have been met. Mr. Fuller said the A/C condenser units are on the roof and covered by parapet walls.

Mr. Mills closed the public hearing on these two applications at 9:30pm and called a brief recess.

The meeting reconvened at 9:45pm.

Mr. Stein made a motion to take the agenda items out of order, seconded by Mr. Michelson and the motion was unanimously approved 5 to 0 (Mills, Michelson, McManus, Stein and Gwozdzowski).

REGULAR MEETING

PENDING APPLICATIONS:

1. Application 213-28 – THE FIRST PRESBYTERIAN CHURCH OF STAMFORD, CT & FULLER DEVELOPMENT, LLC, REVISED Text change
2. Application 213-29 – FIRST PRESBYTERIAN CHURCH OF STAMFORD, CT & FULLER DEVELOPMENT, LLC, 1101 Bedford Street, REVISED Special Exception and Site and Architectural Plans

Mr. Stein said he was comfortable with the text as revised to April 21, 2014.

Mr. Mills said he feels the Board should give guidance on the location and lighting of signage.

Ms. McManus would like to see Staff study Sign regulations from other communities and provide a report to the Board. She has no problems with approving an identification sign for this building.

Mr. Michelson said he had no problem with the Text. He would like the sign lower.

Ms. Gwozdzowski expressed concern about the number of signs proposed.

Ms. McManus doesn't believe a text amendment should be approved. She had a question about the height of the signs and lighting of the signs.

Mr. Mills said the signs on the south and north bother him. He has no problem with ground mounted signs and the canopy sign. He would prefer to see no signs above the second floor.

Staff and the Zoning Board members discussed items to include in conditions for approval.

- Driveway entrance, closing of gate for access to church for holidays and events. There is a question about emergency access;
- Speed bump – 20' back from sidewalk on both driveways. Two should go on the north driveway;
- Parking status report – The Board wants the parking plan to be approved for tenants and guests of the complex on a semi-annual basis;
- Some control on open space wooded area;
- Rail trail streetscape with granite curbs;
- Screening of all mechanics and condenser units and transformers;
- First floor windows – EFIS aluminum storefronts to be installed;
- Loading spaces could be in driveway (24-26' wide) versus on-street;
- BMR fee-in-lieu – almost \$3.2 million. Funds are significant to non-profit community. The Board would consider conditioning the allocation of BMR funds on a future proposal;
- 10" minimum depth on Juliet balconies;
- Contribution of \$150,000 to traffic improvements; per memo of Mani Poola;
- Landscape maintenance agreement;
- Snow plowing and trash management;
- Memo to Traffic Authority on streets being restricted to one or two hour use during hours of 9am – 5pm (not a condition).
- Selection of windows to be subject to staff review with all architectural materials.
- Leave open space as is.

APPROVAL OF MINUTES:

Minutes for Approval: May 5, 2014

Mr. Stein made a motion to approve the minutes as submitted, seconded by Ms. Gwozdzowski and the motion was unanimously approved 5 to 0 (Mills, Michelson, McManus, Stein and Gwozdzowski).

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The meeting adjourned at 11:05pm.

Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board

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